

NOTICE OF ENTRY REQUIRED

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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IN RE:

CASE NO.: 16-10152-CLB

Richard A. Galbo dba Galbo &  
Associates and Alice A. Curtiss,

Chapter: 13

DEBTORS.

CHIEF JUDGE: CARL L. BUCKI

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**ORDER CONDITIONALLY GRANTING RELIEF FROM  
THE AUTOMATIC STAY**

Federal National Mortgage Association ("Fannie Mae") ("Movant"), by Motion dated July 11, 2017 seeks an Order: (i) pursuant to 11 U.S.C. Section 362(d)(1), providing that the automatic stay imposed by operation of 11 U.S.C. Section 362(a), be modified and terminated to permit Applicant to pursue its rights as more particularly described in the Application, to the premises known as 124 North Drive, Buffalo, NY 14216 (the "Premises"); and (ii) granting such other and further relief as is just and proper; the Motion was served on the Debtors, Debtors' Attorney, and the Chapter 13 Trustee; and the parties having now agreed to entry of the within conditional Order; therefore it is hereby

**ORDERED** that the Motion of Movant is conditionally granted as set forth below, and it is further

A. **ORDERED** that on or before February 15, 2018 Richard A. Galbo dba Galbo & Associates and Alice A. Curtiss (the "Debtors") shall pay Movant all post-petition arrears on his/her mortgage; such payments to include principal, interest, late charges, escrow advances and reasonable attorney fees in the amount of \$531.00 for a total sum of \$23,019.96; such sum shall be good through August 31, 2017 and said arrears are broken down as follows:

1 Late Payment 7/1/2016 at \$1,614.68 each	= \$1,614.68
13 Late Payments 8/1/2016-8/1/2017 at \$1,625.37 each	= \$21,129.81
Reasonable attorney fees	= \$350.00
Reasonable attorney Costs	= \$181.00
Less Debtors' Suspense	(-\$255.53)
Total	= \$23,019.96

and said arrears are to be paid as follows:

AMOUNT	DUE BY
\$3,836.66	9/15/2017
\$3,836.66	10/15/2017
\$3,836.66	11/15/2017
\$3,836.66	12/15/2017
\$3,836.66	1/15/2018
\$3,836.66	2/15/2018,

and said payments shall be in the form of certified funds and mailed to:

Federal National Mortgage Association ("Fannie Mae")  
P. O. Box 1047  
Hartford, CT 06143-1047

and it is further,

**B. ORDERED** that the Debtors shall make timely regular monthly payments to Movant at the address listed above by the first day of each and every month, commencing with the September 1, 2017 payment, and it is further

**C. ORDERED** that in the event the Debtors fail to tender the sum due under paragraph A hereinabove or fails to make timely payments described in paragraph B hereinabove, and thereafter fails to comply with a Ten (10) day Notice to Cure, then upon the filing of an Affirmation of Non-Compliance and submission and signature of an Ex-Parte Order with the Court, the automatic stay is vacated with respect to the mortgage held by Movant to the extent necessary to allow it, its successors and/or assigns, to commence and/or continue mortgage foreclosure and eviction proceedings on the real property located at 124 North Drive, Buffalo, NY 14216, and it is further

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**D. ORDERED** that in the event the Debtors fail to tender the sum due under paragraph A and/or the payments due pursuant to paragraph B hereinabove, and if three (3) notices to cure had previously been sent to Debtors and Debtors' attorney pursuant to paragraph C hereinabove, (for three previous defaults under this order), then no further notices to cure shall be provided and the automatic stay will be vacated without further notice to the Debtors or Debtors' attorney upon filing of an Affirmation of Non-Compliance and submission and signature of an Ex-Parte Order with the Court.

CONSENTED AND AGREED TO BY:

John D. Amato 8-25-17  
John D. Amato, Esq.  
Attorney for Debtors

DATED: **AUG 31 2017**  
Buffalo, New York

Carl L. Bucki  
Hon. Carl L. Bucki  
United States Bankruptcy Chief Judge

